

### **REMARKS**

In regard to the election of species, Applicant did not specifically make the statement without traverse, however, Applicant in the prior response did indicate Applicant reserves the right to include additional species which are written in dependent form or otherwise include all of the limitations of an allowed generic claim. In this regard, Applicant would like to point out that claims 2 and 3 are dependent claims which depend upon independent claim 1 and further define the operational efficiency set forth in independent claim 1. Thus, Applicant respectfully submits that dependent claims 2 and 3 belong with the current set of claims as they fall fully within the scope of independent claim 1. Likewise, claim 7 is a dependent claim which further defines the operational efficiency of the photofinishing lab set forth in independent claim 5 and therefore falls fully within the scope of claim 5 and therefore should be reinstated. Likewise, claims 18 and 19 are dependent claims that further define either the operational efficiency or the at least one criteria set forth in the independent claim 17 upon which they each depend. Accordingly, it is respectfully requested that these claims be added to the claims currently being considered as they currently stand or fall with the patentability of the independent claims upon which they respectively depend.

With regard to the rejection under 35 USC § 112, Applicant has amended the independent claims 1, 5 and 17 to clearly set forth that it is the operational efficiency of the photofinishing lab that is being discussed. Accordingly, it is respectfully submitted that this rejection is no longer applicable.

The Examiner has rejected the claims as currently set forth under 35 USC § 103(a) as being unpatentable over Ataka (U.S. patent 5,689,755) for the reasons set forth therein. Applicant respectfully submits that the Ataka reference is totally apart and distinct from the claimed invention. In particular, the Ataka reference is distinguishable in many regards with that of the present invention. First, as set forth in the independent claims, the invention is directed to controlling the operation of a photofinishing lab. While the Examiner has acknowledged that Ataka is not a photofinishing lab, that it would be obvious that if the output of these devices were photographs, then the entire system would constitute a photofinishing lab. However, this in and of itself contrary to the

Ataka reference. It is quite clear that the Ataka reference is not directed to a photofinishing lab but to a system where a plurality of copying machines are provided. In particular as set forth at column 1, lines 6-8, the field of the invention is directed to a plurality of digital copying machines which read an analog image on a document to be converted to a digital image to perform a copy operation. Thus, there is providing an image reading machine for reading a document that is to be copied by the device or distributed among a plurality of different copiers. As set forth in Figure 3 and column 8, lines 45-47, each copier is provided with a scanning section for reading an image formed on a document in a printing section. The copy machines can transmit and receive images through a communication network (see column 8, lines 43-44). There is no teaching or suggestion of providing a photographic finishing lab as taught and claimed by Applicant. This is simply directed to scanning a document where the copies are made either by a single machine or distributed among a plurality of copying machines (see column 9, lines 62 through column 10, line 3). Thus, each of the copy machines can be in various modes one of which is a distributive copy mode for distributing a specified number of copies to other copying machines that are connected. Alternatively it may provide all of the copies by itself. This is in complete contrast to the present invention which specifically is directed to a photofinishing lab having a plurality of output devices for producing a plurality of different output products for a plurality of different job orders wherein each of the output devices is capable of outputting one or more of said plurality of different output products. In the situation where there is a distributed copy in the Ataka reference, that is only a single job order. It does not teach or suggest the distributing of different job orders to which the present invention is directed. Thus, the present invention, as set forth in the independent claims, can be distinguished by at least two different reasons i.e., the Ataka reference is not directed to a photofinishing lab nor does it teach or suggest producing different output products for a plurality of different job orders.

In the present invention, a controller is provided for monitoring controlling operation of a plurality of the different output devices. The Ataka reference does not teach a controller for monitoring controlling the plurality but wherein each of the copiers has its own CPU for controlling the operational configuration of the device.

In the present invention there is also provided a display device connected to the controller for displaying the operational status of each of the plurality of plurality devices in a predetermined format. For example, as illustrated in Figure 2 of the present invention, there is illustrated a display illustrating the operational status of each of the plurality of output devices in a predetermined format and the predetermined format includes information relating to the current configuration status of the plurality of the different output devices, the current backlog of job orders in queue for each of the plurality of different output products. Additionally, the controller produces a visual indication when the operational efficiency of the photofinishing lab reaches the predetermined criteria and automatically adjusts the operational status of at least one plurality of output devices in response to reaching a predetermined criteria. In particular, page 10, lines 23-30 of the present invention, illustrates an example on how the operation of the controller determines if a particular criteria has been met. For example, if there is no properly configured output device or that the flow of rate of images through the system and/or of a particular device falls below a particular value, then an appropriate visual and/or audio alarm is produced. For example, a problem error would be highlighted by an appropriate color for example, red. There is no such teaching or suggestion in the prior art of a controller producing a visual indication when the operational efficiency of the photofinishing lab reaches a predetermined criteria. Additionally, the independent claims further sets forth automatically adjusting the operational status of said plurality of output devices in response to reaching the predetermined criteria. The Ataka reference merely discloses distributing a copy job among a plurality of different copiers. There is no teaching or suggestion of automatically adjusting the operational status of at least one of the copying devices in response to reaching a predetermined criteria.

From the foregoing it can be seen that the cited art fails to teach or suggest the invention in many regards, in particular, the prior art fails to teach:

- (1) a photofinishing lab;
- (2) that the plurality of devices produce a plurality of different output products for a plurality of different job orders;
- (3) a controller for monitoring controlling operation of the plurality of different output devices;

(4) wherein a controller monitors operational configuration of each plurality of output devices and at least one criteria with respect to job orders in queue;

(5) a display device connected to the controller for displaying the operational status of each of the plurality of output devices in a predetermined format;

(6) wherein the predetermined format includes information related to the current configuration status of the output device;

(7) the current backlog of job orders in queue for each of the plurality of different output products;

(8) the controller producing a visual indication when said operational efficiency of the photofinishing lab reaches a predetermined criteria; and

(9) automatically adjusting the operational status of at least one plurality of devices in response to reaching a predetermined criteria.

For the numerous reasons set forth above, it is respectfully submitted that the prior art fails to teach or suggest the claimed invention. In view of the foregoing it is respectfully submitted that the claims in their present form are in condition for allowance and such action is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Frank Pincelli", written over a horizontal line.

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